

PLH



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/449,134	11/24/1999	JANNE LINKOLA	2132-20PCON	5909

7590 09/10/2003

LANCE J LIEBERMAN ESQ
COHEN PONTANI LIEBERMAN & PAVANE
551 FIFTH AVENUE
SUITE 1210
NEW YORK, NY 10176

EXAMINER

HA, LEYNNA A

ART UNIT	PAPER NUMBER
----------	--------------

2131

DATE MAILED: 09/10/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/449,134

Applicant(s)

LINKOLA ET AL.

Examiner

LEYNNA T. HA

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Claims 1-10 have been examined.
2. Claims 1-10 are rejected under 35 U.S.C. 102(e) with the priority date October 18,1996.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. ***Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Kallioniemi, et al. (US 6,064,887).***

As per claim 1:

Kallioniemi, et al. disclose a telecommunications network wherein includes mobile telecommunications domains and HLRs (see FIG.2a). The Examiner asserts by Kallioniemi teaches a plurality of HLRs, that there is a second HLR that is created. The HLRs contains each subscriber's information and authentication parameters or code (col.6, lines 8-15) and ciphering keys (col.8, line 33-35). The Examiner asserts that the subscriber's information is

kept in the subscriber identity module (SIM). Kallioniemi includes a base station controller, which is connected to the transceiver stations for transmits and receives communications to and from the plurality of mobile subscribers (MS) (col.5, lines 10-67). Kallioniemi discusses CCITT Signalling System in the form of a SMSC, which includes a Message Transfer Part (MTP) for reliable transfer of signaling messages (col.7, line 49 - col.9, line 53). Further, Kallioniemi discusses the MSISDN uniquely identifying a mobile telephone subscription and discloses a portability, which involves the relocation of the data storage place for the mobile subscriber. Hence, when the subscriber changes from one service provider to another, it involves moving the data to another one of the HLRs (col.6, lines 21-67). Also see col.7, line 49 thru col.10, line 67.

As per claim 2:

Kallioniemi responds with a "location update accepted" message where further communications can occur (col.13, lines 15-37). Kallioniemi discloses the changing process involves moving the data to another (or second) HLR (col.6, lines 53-56). The Examiner asserts by moving data to another HLR is the data corresponding to the first subscription is removed from the first HLR.

As per claim 3: See col.16, lines 5-60 discussing transmitting a second message. See col.17, line 20-54 discussing receipt of the second message and see col.18, line 10-50 for removal of first subscription.

As per claim 4: See col.17, line 20-54 discussing receipt of the second message wherein the Examiner asserts it is inherent that there is a certain amount of time before receiving the receipt acknowledgement. Also, see col.13. lines 25-65.

As per claim 5: See col.11, lines 7-34 for removing the HLR once the data has moved to the other HLR(2).

As per claim 6: See col.18, lines 9-26 for a discussion of the VLR, which generates a temporary VLR number.

As per claim 7: See col.5-6 discussing the system is in the form of a GSM communication system.

As per claim 8: As rejected on the same rationale of claim 1.

As per claim 9: Kallioniemi discusses the example of financial billing as a local exchange and customer control system (col.9, line 37 thru col.10, line 37).

As per claim 10: The Examiner asserts that Kallioniemi teaches the message transmission system comprises a short message system (col.13, lines 15-30).

See col.4 et seq. and FIG.1, FIG.5, and FIG.8.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEYNNA T. HA whose telephone number is (703) 305-3853. The examiner can normally be reached on Monday - Friday (7:00 - 3:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, AYAZ SHEIKH can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5631.

Lha
August 13, 2003


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100